

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CHARLES DAVIS,)	
Plaintiff,)	
)	
vs.)	Civil Action No. 08-338
)	Judge Joy Flowers Conti
THE COUNTY OF WESTMORELAND)	Chief Magistrate Judge Amy Reynolds Hay
and THE WESTMORELAND COUNTY)	
PRISON,)	
Defendants.)	

ORDER

AND NOW, this 16th day of November, 2009, after the plaintiff, Charles Davis, filed an action in the above-captioned case, and after defendants filed a Motion to Partially Dismiss for Failure to State a Claim Pursuant to F.R.C.P. 12(b)(6) or, Alternatively, Motion for More Definite Statement Pursuant to F.R.C.P. 12(e), and after a Report and Recommendation was filed by the Chief United States Magistrate Judge granting the parties until November 12, 2009, to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Motion to Partially Dismiss for Failure to State a Claim Pursuant to F.R.C.P. 12(b)(6) or, Alternatively, Motion for More Definite Statement Pursuant to F.R.C.P. 12(e) [Dkt. 33], is DENIED.

/s/ Joy Flowers Conti
Joy Flowers Conti
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

All Counsel of Record by electronic filing